

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Characterization of an Antibiotic Impregnated Delivery System as an Intracanal Medicament in Endodontic Therapy

the specification of which (check one)

is attached hereto.

was filed on September 26, 2001 as United States Application

Number No. 09/963,880

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

		<u>Prior Foreign Application(s)</u>	<u>Priority Not Claimed</u>	<u>Certified Copy Filed?</u>
			<u>YES</u>	<u>NO</u>
<u>2343471</u> (Number)	<u>Canada</u> (Country)	<u>30 March 2001</u> (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/> [X]
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/> []
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/> []

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/240,004</u> (Application Number)	<u>October 12, 2000</u> (Filing Date)
<u> </u> (Application Number)	<u> </u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/540,088 (Application Serial No.)	March 31, 2000 (Filing date)	Pending (Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the attorneys and/or agents associated with Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133, Customer No. 21005,

and _____

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to:

Customer No. 21005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 Virginia Road
P.O. Box 9133
Concord, MA 01742-9133

or

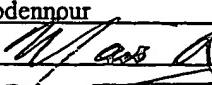
[] Address as follows:

Direct telephone calls to: Lisa M. Treannie, Esq. Telephone No.: 978-341-0036

Direct facsimiles to: Lisa M. Treannie, Esq. Facsimile No.: 978-341-0136

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Mario Abdennour
Inventor's Signature  Date 1/30/2002.

Residence 12 Kippy Drive

Newton, MA 02468

Citizenship U.S.A.

Mailing Address same as above

Full name of second joint

inventor, if any Philip Stashenko
Inventor's Signature Philip Stashenko Date 1/23/02
Residence 10 Newport Lane
Medfield, MA 02052-1929
Citizenship U.S.A.
Mailing Address same as above

Full name of third joint

inventor, if any Michele Scrima
Inventor's Signature Michele Scrima Date 4/15/02
Residence 28 Princeton Drive
Manalapan, NJ
Citizenship U.S.A.
Mailing Address same as above

Full name of fourth joint

inventor, if any Jack Gilad
Inventor's Signature Jack Gilad Date 2-1-02
Residence 18 Glendale Road, #1
Chestnut Hill, MA 02467
Citizenship Canada
Mailing Address same as above

Full name of fifth joint

inventor, if any Max Goodson
Inventor's Signature J. Max Goodson Date 1-23-02
Residence 36 Fresh Pond Place
Cambridge, MA 02138
Citizenship U.S.A.
Mailing Address same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Supplemental Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Characterization of an Antibiotic Impregnated Delivery System as an Intracanal Medicament in Endodontic Therapy

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Full name of sole

or first inventor Mario Abdennour

Inventor's Signature _____ Date _____

Residence 12 Kippy Drive

Newton, MA 02468

Citizenship U.S.A.

Mailing Address same as above

Full name of second joint

inventor, if any Philip Stashenko

Inventor's Signature _____

Date _____

Residence 10 Newport Lane

Medfield, MA 02052-1929

Citizenship U.S.A.

Mailing Address same as above

Full name of third joint

inventor, if any Michele Scrimge

Inventor's Signature _____

Date _____

Residence 28 Princeton Drive

Manalapan, NJ

Citizenship U.S.A.

Mailing Address same as above

Full name of fourth joint

inventor, if any Jack Gilad

Inventor's Signature _____

Date _____

Residence 18 Glenland Road, #1

Chestnut Hill, MA 02167

Citizenship Canada

Mailing Address same as above

Full name of fifth joint

inventor, if any J. Max Goodson

Inventor's Signature J. Max Goodson

Date Oct. 22, 1982

Residence 536 Fresh Pond Place

Cambridge, MA 02138

Citizenship U.S.A.

Mailing Address same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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and _____, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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or first inventor Mario Abdennour

Inventor's Signature _____ Date _____

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Newton, MA 02468

Citizenship U.S.A.

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Full name of second joint

inventor, if any Philip Stashenko

Inventor's Signature _____ Date _____

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Medfield, MA 02052-1929

Citizenship U.S.A.

Mailing Address same as above

Full name of third joint

inventor, if any Michele Scrima

Inventor's Signature _____ Date _____

Residence 28 Princeton Drive

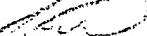
Manalapan, NJ

Citizenship U.S.A.

Mailing Address same as above

Full name of fourth joint

inventor, if any Jack Gilad

Inventor's Signature  Date 12 OCT 02

Residence 18 Glenland Road, #1

Chestnut Hill, MA 02167

Citizenship Canada

Mailing Address same as above

Full name of fifth joint

inventor, if any J. Max Goodson

Inventor's Signature _____ Date _____

Residence 36 Fresh Pond Place

Cambridge, MA 02138

Citizenship U.S.A.

Mailing Address same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mario Abdennour, Philip Stashenko, Michele Scrimi, Jack Gilad and J.
Max Goodson

Application No.: 09/963,880 Group: 3732

Filed: September 26, 2001 Examiner: Not provided

Confirmation No.: 9204

For: Characterization of an Antibiotic Impregnated Delivery System as an
Intracanal Medicament in Endodontic Therapy

FILE COPY

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as First Class Mail in
an envelope addressed to Assistant Commissioner for Patents, P.O. Box
2327, Arlington, VA 22202

on 2/3/03 Paula Depeltaw

Date

Signature

PAULA DEPELTAW

Typed or printed name of person signing certificate

REVOCATION OF POWERS OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEYS AND/OR AGENTS

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Forsyth Dental Infirmary for Children, a Corporation duly organized under the laws of the Commonwealth of Massachusetts, is the assignee of the entire right, title and interest in the above-identified application. Forsyth Dental Infirmary for Children hereby appoints the following attorneys and/or agents associated with:

Customer No. 30623
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo P.C.
One Financial Center
Boston, MA 02111

Attorney or Agent	Registration No.	Attorney or Agent	Registration No.
Danielle T. Abramson	P-52,539	Shane Hunter	41,858
Kevin Ainsworth	39,586	David E. Johnson	41,874
Ingrid Beattie	42,306	Christina Karnakis	45,899
William Belanger	40,509	Jennifer Karnakis	P-53,097
Charles E. Bell	48,128	Kristin E. Konzak	44,848
Naomi Biswas	38,384	Cynthia Kozakiewicz	42,764
Bradford C. Blaise	47,429	Alison Marcotte	51,998
Sean M. Coughlin	48,593	Barry J. Marenberg	40,715
David F. Crosby	36,400	Scott D. Miller	43,803
Christopher J. Cuneo	42,450	A. Jason Mirabito	28,161
Brett N. Dorny	35,860	Michel Morency	50,183
Ivor R. Elrifi	39,529	Carol H. Peters	45,010
James F. Ewing	P-52,875	Matthew Pavao	50,572
Heidi A. Erlacher	45,409	Michael Renaud	44,299
Flora Feng	51,673	Robert J. Sayre	42,124
Eugene Feher	33,171	C. Eric Schulman	43,350
James G. Gatto	32,694	Gregory J. Sieczkiewicz	48,223
Richard Gervase	46,725	Eric Sinn	40,177
Matthew J. Golden	35,161	Thomas M. Sullivan	39,392
Sonia K. Guterman	44,729	Janine Susan	46,119
Melissa Handler	P-52,988	Howard Susser	33,556
Paul Hayes	28,307	Nicholas P. Triano III	36,397
Brian P. Hopkins	42,669		

to prosecute the above-identified application and any divisions or continuations thereof and to conduct all business in the United States Patent and Trademark Office. All previously granted Powers of Attorney are hereby revoked.

A Statement under 37 C.F.R. §3.73(b) is submitted herewith.

All correspondence should be sent to Ingrid A. Beattie, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo P.C., One Financial Center, Boston, MA 02111. Please direct all telephone calls to Ingrid A. Beattie at (617) 348-1838, and all facsimile communications to (617) 542-2241.

Respectfully submitted,
Forsyth Dental Infirmary for Children

By Hannah P. de Paauw

Title President & CEO

Date January 30, 2003

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicants: Mario Abdennour, Philip Stashenko, Michele Scrimi, Jack Gilad and J. Max Goodson

Application No.: 09/963,880 Filed: September 26, 2001

For: Characterization of an Antibiotic Impregnated Delivery System as an Intracanal Medicament in Endodontic Therapy

Forsyth Dental Infirmary for Children, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. the assignee of the entire right, title and interest in the patent application identified above; or
B. an assignee together with [] of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frames _____, or a copy thereof is attached.

OR

- B. A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 1/30/03

Name: Richard L. Pharo, Sc.D.

Title: Executive Vice President

Signature: Richard L. Pharo

RECORDATION FORM COVER SHEET PATENTS ONLY

To the Commissioner, United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)

1. Philip Stashenko
2. J. Max Goodson

2. Name and address of receiving party(ies)

Name: Forsyth Dental Infirmary for Children

Internal Address: _____

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

3. Nature of conveyance:

- [X] Assignment [] Merger
 [] Security Agreement [] Change of Name
 [] Other _____

Street Address: 140 The Fenway

City: Boston State: MA ZIP: 02115

Additional name(s) & address(es) attached? [] Yes [X] No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/963,880

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Lisa M. Treannie, Esq.

Internal Address: _____

Hamilton, Brook, Smith & Reynolds, P.C.

Street Address: 530 Virginia Road, P.O. Box 9133

City: Concord State: MA ZIP: 01742-9133

6. Total number of applications and patents involved: []

7. Total Fee (37 C.F.R. 3.41): \$ 40.00

[X] Enclosed

[X] Authorized to charge any deficiencies or credit any overpayment to deposit account

[] Authorized to be charged to deposit account

8. Deposit account number:

08-0380

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Pamela A. Torpey

Name of Person Signing

Signature

Pamela A. Torpey January 21, 2003

Date

Total number of pages including cover sheet, attachments, and document: [7]

Multi-Joint

ASSIGNMENT

WHEREAS, we, Philip Stashenko and Max Goodson, together with co-inventors Mario Abdennour, Michele Scrima and Jack Gilad, have invented a certain improvement in **Characterization of an Antibiotic Impregnated Delivery System as an Intracanal Medicament in Endodontic Therapy** described in an application for Letters Patent of the United States, the specification of which:

- [] is being executed on even date herewith and is about to be filed in the United States Patent Office;
- [X] was filed on September 26, 2001 as Application No. 09/963,880;
- [] was patented under U.S. Patent No. [] on [].

WHEREAS, Forsyth Dental Infirmary for Children (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts, and having a usual place of business at 140 The Fenway, Boston, Massachusetts 02115 desires to acquire an interest therein in accordance with agreements duly entered into with us:

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

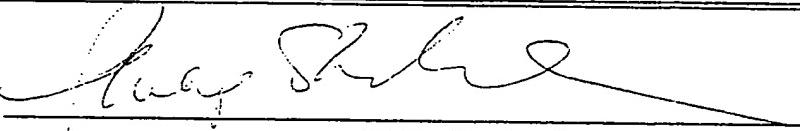
AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving

of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature:



Philip Stashenko

State/Commonwealth

of MASSACHUSETTS

County of SUFFOLK

Then personally appeared before me the above-named Philip Stashenko and acknowledged that he executed the foregoing instrument as his free act and deed this 30th day of JANUARY, 2001, 2002

(SEAL)

— Frank Paul Notary Public
RODEL KAULOS (print name)
My Commission expires 08/25/06

Inventor's Signature:

Max Goodson

Max Goodson

State/Commonwealth

of MASSACHUSETTS

County of SUFFOLK

Then personally appeared before me the above-named Max Goodson and acknowledged that he executed the foregoing instrument as his free act and deed this 23rd day of JANUARY, 2001, 2002.

(SEAL)

Doris A. Davis Notary Public

DORIS A. DAVIS (print name)

My Commission expires 08/25/2006

Multi-Joint

ASSIGNMENT

WHEREAS, we, **Philip Stashenko and J. Max Goodson**, together with co-inventors **Mario Abdennour, Michele Scrima and Jack Gilad**, have invented a certain improvement in **Characterization of an Antibiotic Impregnated Delivery System as an Intracanal Medicament in Endodontic Therapy** described in an application for Letters Patent of the United States, the specification of which:

- [] is being executed on even date herewith and is about to be filed in the United States Patent Office;
- [X] was filed on September 26, 2001 as Application No. 09/963,880;
- [] was patented under U.S. Patent No. [] on [].

WHEREAS, **Forsyth Dental Infirmary for Children** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts, and having a usual place of business at 140 The Fenway, Boston, Massachusetts 02115 desires to acquire an interest therein in accordance with agreements duly entered into with us:

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving

of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____

Philip Stashenko

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named Philip Stashenko and acknowledged that he executed the foregoing instrument as his free act and deed this _____ day of _____, 2001.

(SEAL)

—

Notary Public

(print name)

My Commission expires: ____ / ____ / ____

Inventor's Signature:

J. Max Goodson

J. Max Goodson

State/Commonwealth

of MASSACHUSETTS

County of SUFFOLK

Then personally appeared before me the above-named J. Max Goodson and acknowledged that he executed the foregoing instrument as his free act and deed this 22nd day of October, 2002.

(SEAL)

William F. Davis Notary Public

WILLIAM F. DAVIS (print name)

My Commission expires 08/25/2006
